1st November 1958]

APPENDIX III.

[Vide answer to starred question No. 769 asked by Sri N. K. Palanisami at the meeting of the Legislative Assembly held on 1st November 1958 page 280 supra.]

Proceedings of the Registrar of Trade Unions, Madras, No. B-2-57062/57, dated 10th May 1958.

[SUBJECT.—*Indian Trade Unions Act,* 1926—*The Tamilnad Non-Gazetted Government Officers' Union—Application for registration under the Act.*]

ORDER.

1. The Tamilnad Non-Gazetted Government Officers' Union has submitted an application, dated 23rd December 1957, for registration as a Trade Union under the Indian Trade Unions Act. According to paragraph 4 of the application, the Union is a union of employees engaged under the Madras State Government. Paragraph 7 of the Constitution of the Union lays down that all the Non-Gazetted Government Officers employed under the Government of Madras, except the Executive Officers of the Police and Prisons Department and the Last Grade Government servants are eligible to become members in it.

2. According to section 2 (*h*) of the Indian Trade Unions Act, a trade union means "any combination whether temporary or permanent, formed primarily for the purpose of regulating the relations between workmen and employers or between workmen and workmen or between employers and employers or for imposing restrictive conditions on the conduct of any trade or business, and includes any federation of two or more Trade Unions," and according to section 2 (*g*) of the Act, "Workmen" means "all persons employed in trade or industry". According to these provisions an organization of employees will be a trade union only if it consists of persons employed in trade or industry.

3. The question is whether a union formed by ministerial employees of administrative departments or offices of Government can be regarded as a trade union and registered under the Indian Trade Unions Act. I consider that such ministerial employees of administrative departments or offices of the Government of Madras are not workmen employed in a trade or industry within the meaning of section 2 (*g*) of the Indian Trade Unions Act referred to above. The Union formed by such employees are not therefore eligible to be registered under the Act.

The application to register the Tamilnad Non-Gazetted Government Officers' Union under the Indian Trade Unions Act is therefore rejected.